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PATENT REISSUE APPLICATION
Attorney Docket No.: 22027.CIP3.CON2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

ART UNIT: 2882

EXAMINER:

APPLICANT: JOHNSON, STEVEN A.

SERIAL NO.: 10/615,569

CONFRM. NO.: 9030

FILED: July 7, 2003

FOR: APPARATUS AND METHOD FOR
IMAGING OBJECTS WITH
WAVEFIELDS

PETITION RENEWAL/
RESPONSE

DOCKET NO.: 22027.CIP3.CON2

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

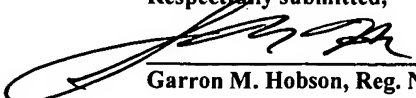
Dear Sir:

Petitioner renews it's Petition for an Unintentionally Delayed Claim for the Benefit of Priority Under 35 U.S.C. 120 filed for the above referenced patent under 37 CFR 1.78(a)(3) on September 9, 2005.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on Dec 15, 2006.

Respectfully submitted,


Garron M. Hobson, Reg. No. 41,073

REMARKS

Petitioner's Petition for an Unintentionally Delayed Claim for the Benefit of Priority under 35 U.S.C. 120 was dismissed for improperly incorporating by reference the prior filed applications. Petitioner has filed an amendment correcting the incorporation by reference statement. Accordingly, petitioner renews its Petition. The petition fee has already been paid.

Petitioner also notes that the priority statement of intermediate application 10/024,035, filed December 17, 2001 (which has issued as patent 6,636,584) has been corrected. A copy of the certificate of correction is attached hereto. Consequently, the priority statement as corrected by the accompanying preliminary amendment now references the first application and every intermediate application, and every intermediate application also makes reference to the first application and every application after the first application and before such intermediate application, as required by the petition dismissal.

Thus, the priority claim presently states:

“This is a continuation of U.S. Patent application Ser. No. 09/471,106, titled Apparatus And Method For Imaging Objects With Wavefields, and filed Dec. 21, 1999, which is incorporated herein by reference”;

but is corrected by the attached amendment to state:

“This is a continuation of U.S. patent application Serial No. 10/024,035, filed on Dec. 17, 2001, now U.S. Patent No. 6,636,584, which is a continuation of US Patent Application Serial No. 09/471,106, titled Apparatus And Method For Imaging Objects With Wavefields, and filed on December 21, 1999, now U.S. Patent No. 6,587,540, which is incorporated herein by reference, which is a continuation-in-part of U.S. Patent Application Serial No. 08/706,205, filed on Aug. 29, 1996, now abandoned, which is a continuation-in-part of U.S. Patent Application Serial No. 08/486,971, filed on June 22, 1995, now abandoned, which is a continuation-in-part of U.S. Patent Application Serial No. 07/961,768, filed on Oct. 14, 1992, now U.S. Patent No. 5,588,032.”

CONCLUSION

In light of the above, Petitioner respectfully request it's Petition for an Unintentionally Delayed Claim for the Benefit of Priority Under 35 U.S.C. 120 be renewed. If any impediment to the renewal of the Petition remains after submission of the Certificate of Correction, the Petition Examiner is strongly encouraged to call Garron M. Hobson at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

Petitioner encloses a check in the amount of \$100.00 for the Certificate of Correction fee. It is Petitioner's understanding that an additional Petition fee is not required. However, the Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Petition Renewal Request to Deposit Account No. 20-0100.

DATED this 15 day of Dec, 2006.

Respectfully submitted,



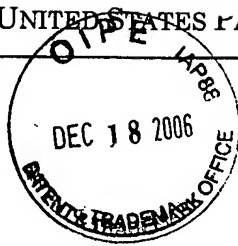
Garron M. Hobson
Registration No. 41,073

The PTO did not receive the following
listed item(s) CK \$ 100.00

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UNITED STATES PATENT AND TRADEMARK OFFICE



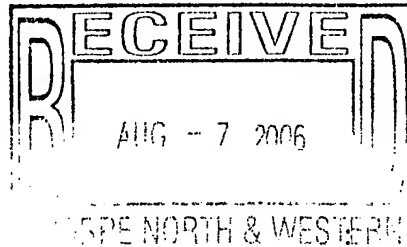
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THORPE, NORTH & WESTERN, LLP
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OFFICE OF PETITIONS



In re Patent No. 6,636,584

Issued: October 21, 2003

Application No. 10/024,035

Filed: December 17, 2001

Attorney Docket No. 22027.CIP3.CON

: DECISION GRANTING PETITION
: UNDER 37 CFR 1.78(a)(3) AND
: REQUEST FOR CERTIFICATE
: OF CORRECTION

01682-16577

This is a decision on the renewed petition filed May 10, 2006, which is being treated as a petition under 37 CFR 1.78(a)(3) seeking to add a claim for priority on the front page of the Letters Patent by way of a Certificate of Correction the prior-filed applications set forth in the petition.

The petition is **GRANTED**.

A review of the file record fails to disclose that a claim for the benefit of priority to the above-noted, prior-filed nonprovisional application was made within the time period set forth in 37 CFR 1.78(a)(2)(ii) and further failed to include a proper reference to the prior-filed application as required by 37 CFR 1.78(a)(2)(i) and 1.78(a)(2)(iii).

The instant application was filed December 17, 2001. Therefore, since this application was filed after November 29, 2000, a petition under 37 CFR 1.78(a)(3), along with submission of a Certificate of Correction, is the appropriate avenue of relief to accept a late claim for the benefit of priority to a prior-filed nonprovisional application after issuance of the application into a patent. *See* MPEP 1481, Rev. 2, May 2004, page 1400-85, second column.

As the instant petition for acceptance of an unintentionally delayed claim for the benefit of priority under 35 U.S.C. § 120 to prior-filed nonprovisional applications satisfies the conditions of 37 CFR 1.78(a)(3), the petition is granted.

A corrected Filing Receipt, which includes the priority claim to the prior-filed nonprovisional applications, accompanies this decision on petition.

Any inquiries concerning this decision may be directed to the undersigned at (571) 272-3206.



This application is being forwarded to the Certificates of Correction Branch for processing the request for a Certificate of Correction.

A handwritten signature in cursive script, reading "Liana Chase".

Liana Chase
Petitions Examiner
Office of Petitions

ATTACHMENT: Corrected Filing Receipt

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,636,584 B2
APPLICATION NO. : 10/024035
DATED : October 23, 2003
INVENTOR(S) : Steven A. Johnson et al.

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 1, line 5 should read:

This is a continuation of U.S. Patent application Ser. No. 09/471,106, titled Apparatus And Method For Imaging Objects With Wavefields, and filed Dec. 21, 1999, --now U.S. Patent No. 6,587, 540,-- which is incorporated herein by reference --, which is a continuation-in-part of U.S. Patent Application Serial No. 08/706,205, filed on Aug. 29, 1996, now abandoned, which is a continuation-in-part of U.S. Patent Application Serial No. 08/486,971, filed on June 22, 1995, now abandoned, which is a continuation-in-part of U.S. Patent Application Serial No. 07/961,768, filed on Oct. 14, 1992, now U.S. Patent No. 5,588,032--.



Signed and Sealed this

Twenty-sixth Day of September, 2006

A handwritten signature in black ink, reading "Jon W. Dudas", is positioned above the printed name of the Director.

JON W. DUDAS
Director of the United States Patent and Trademark Office